

Rhode Island Family Court

Administrative Order 2019-03

(Vacating and superseding Administrative Order 2015-01)

Appointment and Duties of Attorneys on the Panel of Court-Appointed Guardians *Ad Litem* in Child Welfare Cases

Pursuant to R.I.G.L. §40-11-14, each child who is alleged to be abused, neglected or dependent shall be referred to the Court Appointed Special Advocates Office (CASA) for appointment of a guardian *ad litem*. In those cases where CASA is unable to represent the child due to a conflict of interest, an attorney certified in accordance with Rhode Island Supreme Court executive orders regarding court appointment panels shall be appointed to act as guardian *ad litem* for the child. An attorney who accepts such an appointment shall, at a minimum, be required to perform the following.

1. Home Visits. Conduct a home visit with the child in the child's home prior to the hearing next following the appointment of the guardian *ad litem* as well as prior to the hearing next following each change in the child's placement. Guardians *ad litem* appointed prior to the effective date of this administrative order who have not conducted a home visit of the child's current placement must conduct a home visit prior to the next hearing in the matter, if feasible, but no later than one month next following the effective date of this administrative order.
2. Written Report of Home Visits. Prepare a written report detailing the findings of each home visit with an emphasis on the conditions of that home, a description of all inhabitants of the home, the safety and appropriateness of the home, and the home's suitability for the child.
3. Certification of Compliance. Complete and file the attached form certifying compliance with the home visit requirements prior to the hearing next following the home visit.
4. Other Visits. Meet with the child as needed under appropriate circumstances considering the child's age, intelligence and development level.
5. Case Plans. Review each proposed case plan and monitor the delivery of services to the child and the family in accordance with the applicable case plan.
6. Transition Plan. Review and monitor transition plans for youth aging out of foster care if applicable to the child.

7. Motions; Recommendations; Appearances. File appropriate motions, make recommendations to the court as necessary, and, unless excused by the court, attend all court proceedings involving the child.
8. Other Written Reports. File a written report with recommendations prior to each permanency hearing and submit other written reports as requested by the judge or as needed to ensure that the best interests of the child are served.

The court may remove a guardian *ad litem* who fails to perform the minimum duties and responsibilities set forth in this order within a reasonable time.

The guardian *ad litem* shall have access to all reports that have been generated by the Department of Children, Youth and Families and those generated by other agencies contracted by the Department of Children, Youth and Families to provide services to the child.

The guardian *ad litem* shall not withdraw from the case without the permission of the court.

This order vacates and supersedes Administrative Order 2015-01, *Appointment and Duties of Attorneys on the Panel of Court-Appointed Guardians ad litem in Child Welfare Cases*.

This Order is effective as of June 1, 2019.

Date

5/23/19

Michael B. Forte
Chief Judge

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

FAMILY COURT

☐ Kent County

☐ Newport County

☐ Providence/Bristol County

☐ Washington County

Petition No. _____

CERTIFICATION OF COMPLIANCE

I hereby certify that on the _____ day of _____, I conducted
a visit with the above-referenced child at the child's home located at

_____.

I further certify that I prepared a written report of that visitation which was filed with the
court on _____.

Date: _____

/s/ _____